

AO91 (Rev. 12/03) Criminal Complaint

AUSA

UNITED STATES DISTRICT COURT

Southern District Of Texas McAllen Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 7:18-po-05424

Diego NICOLAS-Gaspar
IAE
Guatemala 1989

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 05, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) did, **Being then and there an alien, did, knowingly and unlawfully enter the United States at a place other than as designated by immigration officers;**

in violation of Title 8 United States Code, Section(s) 1325(a)(1)
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Diego NICOLAS-Gaspar was encountered by Border Patrol Agents near Hidalgo, Texas on June 5, 2018. When questioned as to his citizenship, defendant stated that he was a citizen and national of Guatemala, who had entered the United States illegally on June 5, 2018 by rafting across the Rio Grande River near the Hidalgo, Texas Port of Entry.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint: ☐ Yes ☒ No

/S/ Shears-Jr, Cipriano Border Patrol Agent
Signature of Complainant

Shears-Jr, Cipriano Border Patrol Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

June 06, 2018
Date

at McAllen, Texas
City/State

Peter E Ormsby U.S. Magistrate Judge
Name of Judge Title of Judge

Signature of Judge